

done them better. The credit belongs to the man who was actually in the arena, who actually strives to do the deeds, and spends himself in a worthy cause.

Mr. Speaker, just like the former President, I know that HARLEY's place will always be in the arena and never on the sidelines.

Annalise joins my family and yours—Kaira, Trace, Avery, Shea, and Dylan—in wishing HARLEY a happy and healthy birthday and a whole lot of love.

#### WORKING FOR THE INLAND EMPIRE

(Mr. AGUILAR asked and was given permission to address the House for 1 minute.)

Mr. AGUILAR. Mr. Speaker, I rise today on behalf of the Inland Empire of southern California, the region my family has called home for generations.

As we stand here today, people in communities like mine and across the country are hurting. They are mourning loved ones, they are missing paychecks, and they are wondering what their government is doing to make the situation better.

Right now, Democrats in Congress are laser focused on providing the relief the American people need in this pandemic. We have been for months. We passed the CARES Act in March, but we didn't stop there. We passed the Heroes Act in May, and then we passed the updated Heroes Act.

We have continued to work on behalf of the American people, and our Republican counterparts have not met us halfway. Senate Republicans' months of inaction have led to a dire situation across this country, and it is unconscionable for them to continue to do nothing as we approach the holidays.

We have lost valuable time, and it is my hope that, using the bipartisan framework, we can reach an agreement as soon as possible. To do nothing in the face of this much pain is unacceptable. The people we represent have entrusted us with an enormous responsibility, and we cannot let them down.

#### COVID-19 RELIEF

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, the COVID-19 pandemic has devastated our country for 9 months now. More than 15 million Americans have been infected. Nearly 300,000 are dead. Our economy is on the ropes. Folks are struggling just to get by, and Democrats have been trying to pass a relief package for months.

Last week, Republicans finally met us at the table to negotiate a solution. We need to get this deal done. It must address the urgent needs of the American people by providing direct cash payments for working families; stronger unemployment payments; relief for cities and towns; new resources for the frontline workers who are keeping our

communities safe; and funding for testing, vaccines, hospitals, and community health centers so we can end this pandemic and get back to our lives.

The American people sent us here to work for them. They have waited for far too long for Congress to pass a new relief package. Let's get this done on their behalf and let's not leave Washington until we do.

#### GOVERNMENT OVERREACH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Mr. Speaker, it is an honor to agree with the comments that have just been made. We do need to come together and provide assistance to the American public, to those who have been so extremely adversely affected, not merely by COVID, but by the, in some cases, very offensive uses of government power and actually unauthorized power in numerous circumstances taking away people's freedom for the first time in American history when they were not sick, quarantining people who were not ill, shutting down businesses, picking and choosing winners and losers among businesses. Yet we, as Republicans, have been begging our friends across the aisle, come on, there are things ready to be used—readymade.

The money that was appropriated several months ago—there is over \$100 billion, maybe a whole lot more than \$100 billion—is waiting to be used, but the deadlines in that initial bill have been exceeded. So all we need to do is say that money is available again. It is still just sitting there.

As businesses are going bankrupt, my friends across the aisle are allowing them to go bankrupt and basically holding them for hostage and saying: We are going to keep letting businesses go broke; we are not going to let you use the money that is sitting there waiting to be used to help these businesses to save them from bankruptcy and to keep them in business; and we are going to let them keep going out of business because we want a big comprehensive bill.

As I have said previously here, comprehensive bills is a term that means we want to make it so big that we can stuff all kinds of pork in there that you won't be able to find before we pass it. That is what is meant in Congress by comprehensive bill.

We ought to avoid comprehensive bills and we ought to have rival shots addressing just what needs to be addressed and not putting everybody's favorite gift in the legislation.

So we could have agreed on that months ago. I understand the position of the majority Democrats is that there have just been so many other important things that we haven't been able to get around to agreeing with our

Republican friends on the need for just providing the billions and billions of dollars that have already been appropriated and is just sitting there. We don't want to make that available because we have got all these important things.

Like last week and this week, all these important things:

Let's see, we took care of saving the lives of ceiling fans this week. So that apparently was very critical.

And, last week, we knew that people were suffering immeasurably from COVID, and rather than, again, helping with funding, we took up a marijuana bill that will provide tax incentives and actually some money and some assistance in getting marijuana going stronger nationally. It wasn't a bill that said that we are going to let the States decide for themselves. It was a Federal bill to really push not medical marijuana, but just marijuana.

So the answer, according to the majority, to COVID and businesses going bankrupt is just smoke some dope and you won't be nearly as anxious about the loss of your business, the suffering of your family, and the isolation of our senior citizens.

I have had senior citizen places of residence directors just weep every day as they see the seniors not able to spend time with their families, in isolation.

□ 1300

We didn't address any of that, but we did take care of making dope available through the bill—at least the House has so far. It is doubtful the Senate will take those things up. And we also voted to take care of—as I understand, it just pertains to one place—where tigers are kept.

But as my friend Dr. DESJARLAIS pointed out—he was looking at the numbers—and in the time that it took in this Chamber to vote on that bill, there were more people that died of COVID than have died from tigers in the last 25 years.

Mr. Speaker, I know there are disagreements on priorities. Apparently, there was a need felt to do this bill to address the need of tigers, but we still left the needs of those dying from COVID, and businesses that are dying because of the restrictions, we left all of that undone to take care of ceiling fans, tigers, marijuana.

Mr. Speaker, we could get a bill done rather quickly. And I understand we should have had a bill done 2 years ago—it would have been easy to make it bipartisan—on funding infrastructure. We desperately need to upgrade our infrastructure. According to most engineers and studies, we have like a D-minus grade on American infrastructure. But my understanding for why we have not done a bill in the last 2 years that the Democrats have been in the majority here in the House, has been a fervent desire to avoid President Trump getting any credit for anything that really helps America. Despite that

desire of some, he has gotten an amazing amount accomplished.

So I am hoping that we can come together rather quickly—hopefully, by Monday—and we can pass a bill that at least makes available the tens of billions of dollars that is just sitting there waiting for authorization to be provided to businesses that are in trouble. And we could do that quite easily. In fact, we have got a bill that my friend, Mr. CHABOT from Ohio, had filed as the ranking member of the Committee on Small Business, and it would make the money available.

We have had our colleague, JAIME BEUTLER—I am missing the last name—but it is a discharge petition. Everybody needs to come down and sign it—I think, nearly all the Republicans have—saying, let's bring this to the floor. Let's make this money available. Hopefully, that will happen, but it hasn't happened yet.

Mr. Speaker, but all of that, as desperately serious, critically serious as it is, is still, when we look at the future of this country, the issue that stands behind the importance of having a free and fair election, because if you can't have that, the Republic ceases. We become a totalitarian government, socialist government—of course, that is a bit redundant. You can't have socialism without having a totalitarian government. And actually, what has often been referred to as a Communist Government, like in China, the Chinese Communist Party, the Soviet Union, the Union of Soviet Socialist Republics, they really weren't communists. We always refer to them as the communists, but communism doesn't exist if there is a government. True communism is where the government fades away, everybody shares and shares alike.

But we have seen, historically, when a rather sad life of a person named Marx, following up on Engels, came up with this idea. He was completely wrong. He didn't foresee the rising of a middle class such as we have had here in the United States. Anybody that didn't foresee that and try to concoct a form of government without foreseeing that is not somebody that should be followed.

And just as Dostoevsky said—and Solzhenitsyn quoted him in “The Gulag Archipelago”—in Dostoevsky's case, he was speaking theoretically. In Solzhenitsyn's case, having spent many years in a Gulag, in a Russian prison, he was speaking not theoretically or hypothetically, but pragmatically from having been the victim of the government. But Dostoevsky said the problem with socialism is not economic. The problem is socialism is atheism. You cannot have a true socialist government unless the government becomes God.

And there is no place for the one living God that our—nearly all of the Founders acknowledged. Even Ben Franklin—who is sometimes said to be a deist, which he clearly wasn't—said

in his autobiography that he was moved to the contrary over a discussion about deism. But he made very clear he believed in God, he believed that divine providence, God's providence controlled things. And that is not a deist, for those that haven't studied deism.

Mr. Speaker, nonetheless, we are in grave danger. And if the Supreme Court does not take up and resolve this dispute over whether or not we will continue to have a Democratic-Republican form of government, then it will cease, and there will not be another Republican elected because of the circumstances that have arisen. And I will address that further.

Mr. Speaker, I yield to my friend from Texas (Mr. FLORES).

HONORING THE LIFE AND LEGACY OF EDYTHE  
KENGLA SWANN

Mr. FLORES. Mr. Speaker, I thank the gentleman from Texas for yielding.

Mr. Speaker, I rise today to recognize the 100th birthday of Edythe Kengla Swann.

Edythe was born on December 5, 1920, in Tucson, Arizona, to Herman Kengla and Joaquina Robles Kengla. She is a descendant of Arizona's pioneering ranching and railroad families.

Since childhood, Edythe was instilled with a pioneering spirit. Her grandfather, Bernabe Robles, was an immigrant from Mexico who established a stagecoach shop in Arizona that ultimately became the Robles Ranch in the mid-1880s. The ranching complex ultimately comprised over one million acres, making it one of the largest ranches in Arizona.

Edythe graduated from the University of Arizona in 1941 with a degree in home economics. As the United States entered World War II, more women were being called upon to fill jobs that were previously held by men. Edythe was determined to take advantage of the new opportunities opening around her. Enamored by the possibility of travel, Edythe became a flight attendant for American Airlines.

Flight attendant school was an immersive environment of rigorous training in a multitude of subjects. Edythe became well-versed in the technical side of flying. She excelled in meteorology and was well-prepared for difficult emergencies during flight. Edythe also took great interest in the maintenance of the DC-3 aircraft and was very knowledgeable about the inner workings of many cockpit systems.

Edythe diligently worked to meet industry expectations and create an atmosphere that eased the concerns of her passengers while promoting the airline industry. She loved being a pioneer in a profession that represented new opportunities to women and allowed them to find freedom through adventure.

While Edythe was stationed with American Airlines in El Paso, she met Richard Earnest Swann, a lieutenant in the Army stationed at Fort Bliss.

Edythe and Richard quickly fell in love and were married in 1945. At the time, airlines required that flight attendants be unmarried, so Edythe made the difficult choice to leave behind her beloved career for her new future as a wife and a mother.

Together, Edythe and Richard raised five children and started their own business, representing lamp and home furnishing manufacturers in Dallas, Texas. Edythe worked hard to assist her husband at the store while raising their children and becoming an active member of their community. She served as a precinct chairman and was an avid volunteer at her church for local events.

In 2017, Edythe was widowed after 72 years of marriage. Together, Richard and Edythe had 5 children, 12 grandchildren, and 15 great-grandchildren.

Today, Edythe remains independent in mindset and in ability. Her pioneering spirit and moral resolve continue to serve as an inspiration to her family.

Edythe Kengla Swann's life story exemplifies the opportunity afforded to descendants of immigrants who pursue challenging careers that help this country grow and whose self-determination and commitment to family help to maintain the strength of American culture.

Mr. Speaker, Edythe Kengla Swann has lived a long life filled with joy, love, and above all, a pioneering spirit. I am proud to recognize her on this joyous occasion and know that her family and friends love her and are proud of her. I wish Edythe many more years of health and happiness in the future.

As I close today, I urge all Americans to continue praying for their country during these difficult times for our military men and women who protect us from external threats and for our first responders who protect us here at home.

Mr. Speaker, I hope all Americans have a great holiday season and a very happy and joyous Christmas.

Mr. GOHMERT. Mr. Speaker, I thank my Aggie friend and appreciate that shout-out to what sounds like an incredible lady.

Mr. Speaker, my friend will be missed here in Congress. We have had some disagreements, but I know his heart and I know he has always wanted what is best for the country. And I greatly appreciate that heart.

Mr. Speaker, perhaps I should have gotten more than two hours sleep last night. I was thinking “Jaime Beutler Herrera” but it didn't sound right. It is JAIME HERRERA BEUTLER.

Mr. Speaker, she has a discharge petition, and I hope that if there is any Republican that has not signed onto JAIME's discharge petition that they will come do that as soon as possible. We need to get that money. It has already been appropriated. It is just sitting there. Why could we not agree on that?

I know that Ms. HERRERA BEUTLER, I know Mr. CHABOT, they would be fine if

the Democrats put somebody else's name on what they have done. That is fine. Put Democrat names on it, but let's get it done. We are more concerned about helping people that need the money after having their businesses shut down, curtailed, cut back. Let's get that money to them, and I hope that we will.

With regard to this election, on the one hand, you have got COVID that is killing people. On the other hand, you have fraud that is killing a nation. And we know it is serious because YouTube did everything they could—as did Google and Twitter—to censor the public dialogue about different types of fraud, investigations into the Biden family. They did everything they could to hurt President Trump and to help candidate Biden.

Now we see today, YouTube is going to start preventing any discussion about fraud. So we know it is serious when YouTube has to take the position as the totalitarian censor—basically, fascist censor, that the high-tech industry has chosen to be—that they are going to eliminate anybody's ability using their public forum to discuss the facts of fraud.

And for those networks that say that they are unfounded, they need to pull their heads out of the orifice, hole in the ground, whatever, in which their heads are stuck because there have been hundreds and hundreds of affidavits. There are thousands of examples of fraud in the elections.

And as John Fund said, the biggest fraud about elections is the statement “there is no fraud in elections.” It is not new. It has just never, ever, anywhere in the history of the world, been utilized in so many ways and with so many ballots as it has been in this election.

□ 1315

We have seen the gutless actions of some courts, some places that have refused to take up critically important issues that will mean this country has a future as a republic or will end that future and move us into the socialism that brings totalitarianism. But they refuse to take it up.

You can understand, if you have no courage, then you would rather not take up an issue that might make some people mad, even though, as I figured out early in my career as a judge, if I was going to run from the job I ran for, I shouldn't even be there.

Most judges haven't figured that out. Some are appointed, but they were appointed after they sought those positions. Well, if you are going to run from the job you sought, you shouldn't have that job. Just be honest and caring enough for the country that if you don't have the guts to do the job, resign and go. You can mediate. You can arbitrate.

There is great money in arbitration. I had gone through the 3 days of study and testing by the only institute at the time that prepared people for inter-

national arbitration. There was great money in it. But at the same time, I was told by a Member of Congress, now is the time you need to start raising money.

Do I start raising money to run for Congress, or do I pursue the extremely lucrative and rewarding career in international arbitration? Well, I took the road less traveled by, and that has made all the difference. Not a fun difference, but this is an important job. The judiciary is an important job.

So, after the court refused to take up MIKE KELLY's suit—totally legitimate, should have been taken up—we have a lawsuit that was filed a couple of nights ago by the Texas attorney general. It is styled State of Texas v. Commonwealth of Pennsylvania, State of Georgia, State of Michigan, and State of Wisconsin, so four defendants.

As Article III of our Constitution says: “In all cases affecting Ambassadors, other public ministers and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned,” which is up in the first part of Section 2, “the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.”

But this is a case, as the Constitution says, where the Constitution provides for original jurisdiction in the Supreme Court. That means you don't go to a lower court—not a magistrate, not a district judge, not a court of appeals—but you go straight to the Supreme Court.

Now, I had filed things before in the Supreme Court, but I had never filed an original action. I didn't realize until this week that on something the Supreme Court is said by the Constitution to have original jurisdiction, you can't just file. You have to come in and beg: Oh, please, please, Mount Zion judges, please allow me leave so I can file this petition because you have original jurisdiction over this controversy, according to Article III of our Constitution.

Apparently, the Supreme Court has previously decreed that if you want to file an original action, according to the Constitution, in our Court, you have to come in and beg us for leave to file such an original action. We may or may not let you file that lawsuit, even though the Constitution makes clear it should be, it has to be, originally in our Court and no other.

So, the State of Texas, by and through its attorney general, filed this action. But they start by filing a motion for leave to file bill of complaint. So, that is what they filed. They go through the motions of doing what is required. Then, we get to the page that says “Motion for Leave to File Bill of Complaint,” and it sets out—I am not going to read the whole thing, but I think it is important that people understand exactly what is involved here.

“As set forth in the accompanying brief and complaint, the 2020 election

suffered from significant and unconstitutional irregularities in the defendant States:

“Nonlegislative actors' purported amendments to States' duly enacted election laws, in violation of the Electors Clause's vesting State legislatures with plenary authority regarding the appointment of Presidential electors.”

In other words, the Constitution makes clear the State legislatures shall determine the appointment of the electors for that State as part of the electoral college and nobody else. Not a judge, not a State or Federal judge, not a commissioner, not a secretary of state, not a Governor, but the legislature has to make that call of the State.

“Intrastate differences in the treatment of voters, with more favorable allotted to voters—whether lawful or unlawful—in areas administered by local government under Democrat control and with populations with higher ratios of Democrat voters than other areas of defendant States.

“The appearance of voting irregularities in the defendant States that would be consistent with the unconstitutional relaxation of ballot-integrity protections in those States' election laws.”

Those are three points made as to why this election suffered from unconstitutional irregularities in those States that have been sued.

All of these flaws, even the violations of State election law, violate one or more of the Federal requirements for elections. That includes equal protection, due process, the Electors Clause, and thus arise under Federal law.

So, it is not just that the Supreme Court, under our Constitution, clearly has the original jurisdiction over this suit where a State sues another State or States, but this involves a Federal question. In case some on the Supreme Court are asleep or do not understand their obligation, it is a Federal question as well as being a State versus State.

In *Bush v. Gore* in 2000, the Court said: “Significant departure from the legislative scheme for appointing Presidential electors presents a Federal constitutional question.”

The plaintiff, the State of Texas, “respectfully submits that the foregoing types of electoral irregularities exceed the hanging-chad saga of the 2000 election in their degree of departure from both State and Federal law. Moreover, these flaws cumulatively preclude knowing who legitimately won the 2020 election and threaten to cloud all future elections.”

I hope the Supreme Court—well, I know some of the Justices will take particular interest and give attention to that. This is for the future of the Republic.

As Eric Metaxas points out in his book, quoting from Franklin, when he was asked, what have you given us? after the Constitutional Convention in 1787 in Philadelphia. He replied: A republic, Madam, if you can keep it.

I think the title of Eric's book is "If You Can Keep It."

Well, the answer will be determined in this case. If the Supreme Court refuses to take it up and do their job, then the answer is, we kept it from 1789 until 2020. Then, because we had people in States that didn't do their job, or overzealously became partisan and allowed circumstances, even participating in circumstances, to permit fraud and to destroy the election process.

Any Republican that thinks, "Oh, well, if I sound good, and I don't stand up for the Constitution here, then I will be in good stead to be the Republican nominee. Then, I can win the Presidency in 2024," the news for those people is, if this fraud in this election is not addressed and these unconstitutional schemes are not struck down by the highest court in the country, there is not going to be a Republican elected again. It is not going to happen.

So, it is rather important. History will judge us accordingly. From the looks of what the Supreme Court did to Congressman KELLY's case, in refusing to take it up, there is grave concern, appropriately, that the Supreme Court is not going to do their jobs, that they will choose to go down in history as the Supreme Court that allowed this Nation to lapse as a republic.

There were rumors that the Chief Justice flipped his vote in the ObamaCare case because he became very sensitive to the allegation that if ObamaCare was overturned, he would become the most political Chief Justice since Taney in the Dred Scott case. The rumor was that he flipped and chose to uphold that decision, making him the most political Chief Justice in American history, probably more so than Taney.

In Taney's case—regardless of how you pronounce it—in that case, that decision helped pave the way for the Civil War because the Supreme Court did not do their job in protecting the rights listed in the Constitution in the Bill of Rights. Likewise, this country is headed for some very dire times if the Supreme Court doesn't resolve this controversy and the fraud that underlies it.

Again, for those that say there was no fraud, wake up, look at the evidence. There is sworn testimony. There is video footage.

Another thing that people need to understand about the judicial system, it is not a new idea that one party to a suit would have possession of evidence that would show that party should lose the lawsuit. That has happened throughout jurisprudence.

Over the years, in the common law, a doctrine, a legal doctrine, developed called spoliation. The doctrine is basically this: If one party is in possession of evidence, or possesses the capacity to preserve evidence, and they mix that evidence in with other evidence that prevents a party from being able to show that it should win the day, then

that doctrine of spoliation can be utilized.

If there is a jury which is the factfinder, the judge can tell the jury that it may consider the fact that the defendant in this case had possession of documents that would either prove or disprove the plaintiff's case, and since the defendant refuses to produce them or put them in a manner that they could not be identified or destroyed them, then you may consider that that evidence supported the plaintiff's case.

□ 1330

And you can even take judicial notice, a court can, of a situation like that. The Supreme Court could take judicial notice of that, that one party has the evidence that will prove the plaintiff's case, and they refuse to allow it to be found; or, as we saw in Pennsylvania, we had a Supreme Court order to preserve evidence, and the eight actors in Pennsylvania basically ignored the order so they could continue to hide evidence. That should be evidence and should have judicial notice taken that that evidence is the fact that they continue to hide what would have proved the plaintiff's case.

So, as the brief says, taken together, these flaws affect outcome determinative numbers of popular votes in a group of States that cast outcome determinative numbers of electoral votes. This Court—and I am talking about the Supreme Court since they have original jurisdiction—should grant leave to file the complaint and ultimately enjoin the use of unlawful election results without review and ratification by the defendant States' legislatures and remand the defendant States' respective legislatures to appoint Presidential electors in a manner consistent with Electors Clause, and pursuant to 3 U.S.C. section 2.

So that is the motion for leave to file.

And then we get to the bill of complaint that Texas is seeking to have permission to file.

Oh, please, oh, most holy Supreme Court, please, lower yourselves to allow us to be heard before your Court of original jurisdiction. Please, oh, please.

How many times do we need to say it to affect the high and mighty Supreme Court?

Well, the bill of complaint actually has an appropriate quote from John Adams: "That form of government, which is best contrived to secure an impartial and exact execution of the laws, is the best of republics." And that is exactly what we will be losing if we do not preserve the integrity of this election.

The bill of complaint goes on to say: "Our country stands at an important crossroads. Either the Constitution matters and must be followed, even when some officials consider it inconvenient or out of date, or it is simply a piece of parchment on display at the National Archives. We ask the Court to choose the former."

"Lawful elections are at the heart of our constitutional democracy. The public, and indeed the candidates themselves, have a compelling interest in ensuring that the selection of a President—any President—is legitimate. If that trust is lost, the American Experiment will founder. A dark cloud hangs over the 2020 Presidential election."

"Here is what we know. Using the COVID-19 pandemic as a justification, government officials in the defendant States of Georgia, Michigan, and Wisconsin, and the Commonwealth of Pennsylvania . . . usurped their legislatures' authority and unconstitutionally revised their State's election statutes. They accomplished these statutory revisions through executive fiat or friendly lawsuits, thereby weakening ballot integrity. Finally, these same government officials flooded the defendant States with millions of ballots to be sent through the mails, or placed in drop boxes, with little or no chain of custody and, at the same time, weakened the strongest security measures protecting the integrity of the vote—signature verification and witness requirements."

And I might inject here, in the State of Georgia, on Saturday night, being there with the President, DAVID PERDUE, KELLY LOEFFLER, and so many other wonderful Georgia officials—and I do love the State of Georgia. It seemed like I spent 20 years there because I was in the Army, but my 4 years at Fort Benning, I grew to love the people of Georgia. We still have many great friends in the State, so it is always a pleasure to have an excuse to go back to Georgia.

That was a rough time in our history. People did not appreciate those of us that wore the uniform. We didn't have it as bad as those who had recently come back from Vietnam, but it was a very unpleasant time to be in uniform. There were times when we were ordered not to wear it; yet, generally, the people of Georgia were just superb.

I was there and Vernon Jones showed me an envelope he had gotten from America Votes, sometimes referred to as Stacey Abrams' group, but it had a return address on the envelope here in Washington, D.C., and apparently they sent out millions of these requests for absentee ballots.

It seemed like something like that ought to be reserved to a governmental entity so that those are not sent to people who shouldn't be getting them, that government ought to update their records and make sure they are not sending them to dead people or to people who have been moved to other States, other jurisdictions for 40 years, as we have already heard in some cases.

There was all this information about absentee ballots and pushing the recipient to fill it out, send it in, and even a postage-paid envelope was provided, which provides something of value to somebody for them to send in that absentee request.

But I just thought: Wow. So Washington, D.C., has gotten involved in the State of Georgia's election in trying to skew the vote there. It is really interesting.

But getting back to this complaint by the State of Texas, it says: "The only date that is mandated under the Constitution is . . . January 20, 2021, U.S. Constitution Amendment 20.

"Against that background, the State of Texas . . . brings this action against defendant States based on the following allegations:

"1. Plaintiff State challenges defendant States' administration of the 2020 election under the Electors Clause of Article II, Section 1, Clause 2, and the 14th Amendment of the Constitution.

"2. This case presents a question of law: Did defendant States violate the Electors Clause, or, in the alternative, the 14th Amendment, by taking—or allowing—nonlegislative actions to change the election rules that would govern the appointment of Presidential electors?

"3. Those unconstitutional changes opened the door to election irregularities in various forms. Plaintiff State alleges that each of the defendant States flagrantly violated constitutional rules governing the appointment of Presidential electors. In doing so, seeds of deep distrust have been sown across the country. In the spirit of *Marbury v. Madison*, this Court's attention is profoundly needed to declare what the law is and to restore public trust in this election.

"4. As Justice Gorsuch observed recently: "Government is not free to disregard the Constitution in times of crisis. . . . Yet, recently, during the COVID pandemic, certain States seem to have ignored these long-settled principles."

That is in the case of *Roman Catholic Diocese of Brooklyn, New York v. Cuomo*, a case from 2020. The petition or the complaint says that this case is no different now.

"5. Each of the defendant States acted in a common pattern. State officials, sometimes through pending litigation, for example, settling 'friendly' suits, and sometimes unilaterally by executive fiat, announced new rules for the conduct of the 2020 election that were inconsistent with existing State statutes defining what constitutes a lawful vote.

"6. Defendant States also failed to segregate ballots in a manner that would permit accurate analysis to determine which ballots were cast in conformity with the legislative set rules and which were not. This is especially true of the mail-in ballots in these States by waiving, lowering, and otherwise failing to following the State statutory requirements for signature validation and other processes for ballot security, the entire body of such ballots is now constitutionally suspect and may not be legitimately used to determine allocation of the defendant States' Presidential electors."

I interject here. A good example, and this also brings in the doctrine of spoliation, where, in Georgia, you had people lie to get people out of the area in which ballots were being counted, and then once they were all out and there was no big water leak, there may have been a slight leak in a commode, but they were moved out. You can see the video. But then out from under tables comes suitcases full of ballots that these people who are unwatched to ensure that these were legitimate ballots, they started running them through and counting them.

Well, my understanding is they have refused to make those ballots available for examination. And that is where spoliation comes in. They have got the evidence; they refuse to produce it; so the presumption should be made by the Supreme Court, if those ballots were produced by the people who have sole control over them, they would prove the plaintiff's case; therefore, plaintiff's case is proven and the results are no longer viable and valid.

The complaint goes on: "Each of the defendant States acted in a common pattern."

I touched on that.

"7. The rampant lawlessness arising out of defendant States' unconstitutional acts is described in a number of currently pending lawsuits in defendant States or in public view including:

"Dozens of witnesses testifying under oath about the physical blocking and kicking out of Republican poll challengers; thousands of the same ballots run multiple times through tabulators; mysterious late night dumps of thousands of ballots at tabulation centers; illegally backdating thousands of ballots; signature verification procedures ignored"—and I would interject, and those put in batches where it could not be determined what signatures came with that ballot. That ought to lead to spoliation evidence—"signature verification procedures ignored; more than 173,000 ballots in the Wayne County, Michigan, center that cannot be tied to a registered voter;

"Videos of: poll workers erupting in cheers as poll challengers are removed from vote-counting centers; poll watchers being blocked from entering vote-counting centers—despite even having a court order to enter; suitcases full of ballots being pulled out from underneath tables after poll watchers were told to leave.

□ 1345

"Facts for which no independently verified reasonable explanation exists: On October 1, 2020, in Pennsylvania, a laptop and several USB drives used to program Pennsylvania's Dominion voting machines were mysteriously stolen from a warehouse in Philadelphia. The laptop and the USB drives were the only items taken, and potentially could be taken to alter vote tallies; in Michigan, which also employed the same Dominion voting system, on November 4, 2020, Michigan election offi-

cials have admitted that a purported 'glitch' caused 6,000 votes for President Trump to be wrongly switched to Democratic candidate Biden. A flash drive containing tens of thousands of votes was left unattended in the Milwaukee tabulations center in the early morning hours of November 4, 2020, without anyone aware it was not in a proper chain of custody.

"8. Nor was this court"—talking about the Supreme Court—"immune from the blatant disregard for the rule of law. Pennsylvania itself played fast and loose with its promise to this court. In a classic bait and switch, Pennsylvania used guidance from its Secretary of State to argue that this Court should not expedite review because the State would segregate potentially unlawful ballots. A court of law would reasonably rely on such a representation. Remarkably, before the ink was dry on the court's 4-4 decision, Pennsylvania changed that guidance, breaking the State's promise to the Supreme Court."

In the October 28, 2020, decision, it said: "We have been informed by the Pennsylvania Attorney General that the Secretary of the Commonwealth issued guidance today directing county boards of elections to segregate late-arriving ballots."

Well, it turns out they lied to the Supreme Court. And if the Supreme Court will not have at least enough self-respect to call down a State that lies to the Court to get a ruling they want, then that is one worthless court.

It is the same problem we have had with the FISA courts and why I want to eliminate them. They didn't even have enough self-respect that when they found out they were lied to in a number of manners in order to get a warrant to spy on the Trump campaign, they didn't get upset. They didn't put anybody in jail. They didn't hold anybody in contempt. A court that worthless needs to be eliminated.

As my law school professor, David Gwynne, used to say, you know, every Federal court in America, except for one, owes its existence and jurisdiction to the U.S. Congress. That, of course, the Supreme Court. We brought them into the world, we should be able to take them out. And that should happen when they don't even have enough self-respect to enforce the truthfulness required to make that court operate.

In *Republican Party versus Boockvar*, November 6, 2020, a quote from that decision: "This court was not informed that the guidance issued on October 28th, which had an important bearing on the question whether to order special treatment of the ballots in question, had been modified."

That was from Justice Alito.

"10. The probability of former Vice President Biden winning the popular vote in the four defendant states—Georgia, Michigan, Pennsylvania, and Wisconsin—independently given President Trump's early lead in those States as of 3 a.m. on November 4, is less than

one in a quadrillion, or one in"—well, I am not even sure what that number is. Maybe quadrillion. I guess that is 15 zeros. "For former Vice President Biden to win these four states collectively, the odds of that event happening decreased to less than one in a quadrillion to the fourth power.

"13. By purporting to waive or otherwise modify the existing State law in a manner that was wholly ultra vires and not adopted by each State's legislature, defendant States violated not only the electors clause, but also the elections clause, to the extent that the Article I elections clause textually applies to the Article II process of selecting Presidential electors.

"14. Plaintiff States and their voters are entitled to a Presidential election in which the votes from each of the States are counted only if the ballots are cast and counted in a manner that complies with the preexisting laws of each State. The President and vice president of the United States are the only elected officials who represent all the voters in the Nation. Voters who cast lawful ballots cannot have their votes diminished"—or the term we have heard over the last 4 years, disenfranchised—"by States that administered their 2020 Presidential elections in a manner where it is impossible to distinguish a lawful ballot from an unlawful ballot.

"15. The number of absentee and mail-in ballots that have been handled unconstitutionally in defendant States greatly exceeds the difference between the vote totals of the two candidates for President of the United States in each defendant State.

"16. In addition to injunctive relief for this election, plaintiff State seeks declaratory relief for all Presidential elections in the future. This problem is clearly capable of repetition, yet evading review. The integrity of our constitutional democracy requires that States conduct Presidential elections in accordance with the rule of law and Federal constitutional guarantees.

So that is critical.

"18. In a Presidential election, 'the impact of the votes cast in each State is affected by the votes cast for the various candidates in other States.'"

That is in the Anderson case, 460 U.S. at 795.

"The constitutional failures of defendant States injure plaintiff States because 'the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise.'"

And that is from Bush versus Gore.

In any event, Mr. Speaker, it is critical that the Supreme Court step up and take the jurisdiction that the Constitution requires it to take. It won't be fun and it won't be pleasurable, but it is absolutely essential that the U.S. Supreme Court do what the Constitution created them to do, take up this matter with which it has original jurisdiction and determine there were un-

constitutional actions taken that affected the outcome of this election. It was not a free and fair election, and if the Supreme Court does not act accordingly, then, really, the Supreme Court is irrelevant, Congress is irrelevant; and those who would seek to hide ballots in the future, create improper ballots, count ballots multiple times, they will control the future of this country, not the Supreme Court, not Congress, but a newfangled electronic—not just electronic. They used every method known to man. It will make Tammany Hall, and has made Tammany Hall, look like Mister Rogers' Neighborhood. It is time to act. It is time preserve the Republic.

Mr. Speaker, I yield back the balance of my time.

#### FAREWELL TO CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the Chair recognizes the gentleman from Virginia (Mr. RIGGLEMAN) for 30 minutes.

Mr. RIGGLEMAN. Mr. Speaker, I rise today, after 2 years of service, to address this Congress for perhaps the last time. I rise today humbled by the opportunities granted to me by this great country and the citizens of the Fifth District. That I could go from living on food stamps decades ago to serving in this hallowed body is a testament to the American Dream and the opportunity provided by this land of liberty.

I would be remiss if I did not begin this address by thanking my beautiful wife, Christine, and my three daughters, Abby, Lauren, and Lily, for their support throughout this journey. I married Christine fresh out of high school at the age of 19, and she has been my rock ever since. And to have my two new granddaughters in Washington, D.C., with me today is an overwhelming blessing.

I never intended to enter politics or subject my family to the challenges and strains that accompany public life, but they have taken on every challenge and continue to inspire me every day.

I have spent most of my life in service to this country as an enlisted and commissioned airman in the United States Air Force and working for and with intelligence community and Department of Defense organizations. I served in the Balkans during Operation Allied Force, spent time in the Middle East, and deployed immediately after 9/11 as part of a team that mission planned the first bombing runs into Afghanistan.

I was taken away from my family in service to the country I love. And while my family is with me now, I know that they made countless sacrifices to help me get to this point.

Though my time in this Chamber will be shorter than I may have hoped, I am proud of what we have accomplished. Just 2 weeks ago, this House passed H.R. 2466, the State Opioid Grant Authorization Act of 2020. A bill that

might seem like a footnote in the CONGRESSIONAL RECORD to some can save countless lives. One of my priorities during my time in Congress has been addressing the very real crisis of opioid addiction, which has devastating consequences for families across this great Nation.

I was sitting at my desk in Congress about 1 year ago when I got the call that my cousin, Trey, had overdosed not far from where I was sitting.

I talked about this with my friend and colleague, Congressman DAVID TRONE, the Democratic party lead on the State Opioid Response Grant Authorization bill and the leader of the Freshman Working Group on Addiction. He had lost a nephew, Ian, to the scourge of addiction. We knew that something had to be done, and we came together in a bipartisan way to accomplish something great.

A special thanks to Representatives SHERRILL and ARMSTRONG for their incredible support on this legislation.

Trey and Ian, we worked to honor your memories and to help those who might not be able to help themselves.

During my time in Congress, I have worked to expand access to broadband internet in rural areas, especially in those remote areas of the Fifth District. Our rural communities need broadband access to keep up with the demands of the modern economy. Closing the digital divide is critical in enhancing economic opportunity, job creation, access to healthcare, and education in rural America.

My district carries history matched by few in this Nation. The first representative from my district was James Madison. I have used his legacy to guide me in my fight to protect constitutional principles, and I believe that his example is one that can guide all representatives in this body.

James Madison said this: "A well instructed people alone can be a permanently free people."

I internalized that statement into a baseline for carrying out the duties as a representative of the people, duly elected by the citizens of Virginia's Fifth District. My background as a veteran and Air Force intelligence officer employed at times by the National Security Agency and working with other government agencies taught me the value of honor, service, and integrity in all I do. It also taught me the invaluable lesson of considering the source when evaluating information from my colleagues and constituents and when fighting radicalization and disinformation campaigns.

James Madison also stated that "knowledge will forever govern ignorance; and a people who mean to be their own governors must arm themselves with the power knowledge gives."

A well instructed people and a knowledgeable people—pillars of a working republic. Those pillars are now being assaulted by disinformation and outlandish theories surrounding this Presidential election.